

No. PD-0041-17

TO THE COURT OF CRIMINAL APPEALS  
OF THE STATE OF TEXAS

FILED  
COURT OF CRIMINAL APPEALS  
8/28/2017  
DEANA WILLIAMSON, CLERK

REX ALLEN NISBETT,

Appellant

v.

THE STATE OF TEXAS,

Appellee

Appeal from Williamson County

\* \* \* \* \*

**STATE'S MOTION TO EXTEND TIME FOR  
FILING ITS BRIEF**

\* \* \* \* \*

Stacey M. Soule  
State Prosecuting Attorney  
Bar I.D. No. 24031632

John R. Messinger  
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Bar I.D. No. 24053705

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TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Comes now the State of Texas, by and through its State Prosecuting Attorney, and respectfully submits to the Court its motion to extend the time for filing its brief to and including the 25<sup>th</sup> day of September, 2017. The State's brief is currently due on August 25, 2017. Including the day his petition was granted, the undersigned attorney was out of the office seven working days speaking to law enforcement officers in rural counties around the State, and on vacation another three. Additionally, he will be on the road from August 29 through September 1, 2017, and on September 8, 2017, speaking to more officers. No previous motions to extend this deadline have been filed.

WHEREFORE, the State prays that its motion to extend the time for filing its petition until September 25, 2017, be granted.

Respectfully submitted,

/s/ John R. Messinger  
JOHN R. MESSINGER  
Assistant State Prosecuting Attorney  
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## **CERTIFICATE OF SERVICE**

A copy of the foregoing State's Motion to Extend the Time for Filing its Brief has been eFiled on this the 25<sup>th</sup> day of August, 2017, and served on the following:

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/s/ John R. Messinger  
John R. Messinger  
Assistant State Prosecuting Attorney